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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) CASE NO. 3:18-CR-00308-WHO  
Plaintiff, )  
v. )  
ERIC ARQUES EVANS, )  
Defendant. )  
DETENTION ORDER

On May 4, 2021, defendant Eric Evans was charged in a Form 12 with violating the terms of his supervised release.

This matter came before the Court on July 12, 2021, for a detention hearing. The defendant was present and represented by David Rizk. Assistant United States Attorney Molly A. Smolen appeared for the government. The government moved for detention, and the defendant opposed. At the hearing, counsel submitted proffers and arguments regarding detention.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on the record, the Court finds by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the person as required and clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other

1 person or the community. Accordingly, the defendant must be detained pending trial in this matter.

2       The present order supplements the Court's findings and order at the detention hearing and serves  
3 as written findings of fact and a statement of reasons as required by Title 18, United States Code,  
4 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its  
5 conclusion: no conditions of release may reasonably mitigate the risk that defendant will not return to  
6 court as ordered or reasonably assure the safety of the community. This finding is made without  
7 prejudice to the defendant's right to seek review of defendant's detention, or file a motion for  
8 reconsideration if circumstances warrant it.

9           Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

10          1.       The defendant be, and hereby is, committed to the custody of the Attorney General for  
11 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
12 sentences or being held in custody pending appeal;

13          2.       The defendant be afforded reasonable opportunity for private consultation with counsel;  
14 and

15          3.       On order of a court of the United States or on request of an attorney for the government,  
16 the person in charge of the corrections facility in which the defendant is confined shall deliver the  
17 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a  
18 court proceeding.

19           IT IS SO ORDERED.

20  
21 DATED: July 13, 2021

  
HONORABLE SALLIE KIM  
United States Magistrate Judge